

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11967 (JKS)

(Jointly Administered)

**MOTION OF INTELLIGRATED SYSTEMS, LLC FOR
ALLOWANCE AND PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM**

Intelligrated Systems, LLC (“ISL”), by and through its undersigned counsel, submits this *Motion for Allowance and Payment of Administrative Expense Claim*, and in support states as follows:

JURISDICTION

1. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue before this Court is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A), (B), (M), and (O).
2. The statutory predicates for the relief sought herein are 11 U.S.C. §§ 105, 503(a), 503(b)(1)(A), and 507(a)(2).

¹ The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors’ corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

BACKGROUND

3. On September 9, 2024 (the “Petition Date”), each of the Debtors commenced a voluntary case under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Court”).

4. Prior to the Petition Date, ISL and Big Lots Stores, Inc. entered into (i) that certain Amended and Restated Master Agreement, dated as of July 19, 2016 (the “Master Agreement”), and (ii) that certain Addendum B to Master Agreement (the “Addendum” and together with the Master Agreement, the “Agreements”),² pursuant to which ILS provided, among other things, technical support services to the Debtor and certain of its debtor-affiliates identified below.

5. Pursuant to the terms of the Agreements, ISL provided post-petition good and services to Durant DC, LLC in the amount of EIGHTY-SIX THOUSAND FORTY-FOUR AND 10/100 (\$86,044.10). A true and correct copy of the invoice evidencing the post-petition services is attached hereto as ***Exhibit 1***.

6. On December 19, 2024, ISL filed its proof of claim for Durant DC, LLC in the amount of \$258,132.30 asserting an administrative expense claim in the amount of \$86,044.10. A true and correct copy of the proof of claim is attached hereto as ***Exhibit 2***.

7. On February 7, 2025, the Debtors filed their *Motion for Entry of an Order (I) Setting Bar Date for Filing Proofs of Claims for Pre-Closing Administrative Expense Claims against the Debtors, (II) Establishing Pre-Closing Administrative Expense Claims Procedures, and (III)*

² The Agreements, the individual invoices and other records which more particularly evidence the Debtors’ indebtedness to ISL are voluminous, may contain proprietary information and terms, and are subject to confidentiality restrictions. Accordingly, copies of such documents do not accompany this Objection. The Agreements and any additional documents and information related to this Motion would be made available by ISL to appropriate persons upon reasonable request, and with appropriate non-disclosure protections in place.

Granting Related Relief, Including Notice and Filing Procedures [Dkt. No. 1962] (“Administrative Claims Motion”).

8. In its Administrative Claims Motion, the Debtors list ISL as being owed an administrative expense claim, albeit for \$88,563.24. *See* Administrative Claims Motion at Exhibit B.

9. On February 27, 2025, this Court entered the Order approving the Administrative Claims Motion and setting the deadline of April 3, 2025 for filing Pre-Closing Administrative Expense Claims.³

10. In addition to filing the proof of claim and out of an abundance of caution, ISL hereby files this Motion seeking recognition and payment of its administrative expense claim in the amount of \$86,044.10.

BASIS FOR RELIEF REQUESTED

11. Section 503(b)(1)(A) affords administrative priority to claims for the actual, necessary costs and expenses of preserving an estate. “When third parties are induced to supply goods or services to the debtor-in-possession … the purposes of [Section 503] plainly require that their claims be afforded priority.” *In re Goody’s Family Clothing, Inc.*, 610 F.3d 812, 818 (3rd Cir. 2010). Section 507(a) of the Bankruptcy Code adds that administrative expense claims allowed under Section 503(b) will be given high priority.

12. Here, Durant DC, LLC failed to pay ISL \$86,044.10 in post-petition goods and services pursuant to the terms of the Agreements. Accordingly, ISL is entitled to allowance and payment of an administrative expense claim in the aforementioned amount pursuant to Sections 503(a), 503(b)(1)(A) and 507(a)(2) of the Bankruptcy Code.

³ As defined in the Administrative Claims Motion.

CONCLUSION

13. In accordance with Durant DC, LLC's obligations under Sections 503(a), 503(b)(1)(A) and 507(a)(2) of the Bankruptcy Code, ISL respectfully requests entry of an order substantially in the form attached hereto as Exhibit A (the "Order") (a) allowing ISL's administrative expense claim in the amount of \$86,044.10 against Durant DC, LLC; (b) ordering payment of the administrative expense claim pursuant to the Order entered on February 27, 2025; and (c) granting such other and further relief as this Court deems necessary and appropriate.

Dated: March 31, 2025
Wilmington, Delaware

/s/ Scott D. Cousins

Scott D. Cousins (No. 3079)
LEWIS BRISBOIS BISGAARD & SMITH LLP
500 Delaware Avenue, Suite 700
Wilmington, Delaware 19801
(302) 295-9440
scott.cousins@lewisbrisbois.com

– and –

Scott Cheatham
ADAMS AND REESE LLP
701 Poydras Street
Suite 4500
New Orleans, LA 70139
(504) 585-0295
Scott.Cheatham@arlaw.com

Attorneys for Intelligated Systems, LLC